

## **June 30, 2008 - Special Town Council Meeting**

**At a Special Meeting of the Town Council of the Town of Middletown, RI, held at the Middletown Town Hall on Monday, June 30, 2008 at 6:00 P.M.**

**Council President Paul M. Rodrigues, Presiding**

**Vice Chair Shirley R. Mello**

**Councillor Barbara A. Barrow, Arrives at 6:15 PM**

**Councillor Louis P. DiPalma**

**Councillor M. Theresa Santos**

**Councillor Edward J. Silveira, Jr.**

**Councillor Robert J. Sylvia, Members Present**

**June 23, 2008**

**Wendy J.W. Marshall, Town Clerk**

**Town of Middletown**

**Town Hall – 350 East Main Road**

**Middletown, Rhode Island 02842**

**Dear Mrs. Marshall:**

**Pursuant to the provisions of Article II, Section 203 of the Town Charter and in accordance with Section 42-46-2., 42-46-4 and 42-46-6. of the General Laws of Rhode Island, as amended, I hereby call a Special Meeting of the Council in order to formally discuss, consider and act upon the following items of business:**

**1. Executive Session - Pursuant to provisions of Sections 42-46-2.,**

**42-46-4. and 42-46-5. (a) (2), RIGL, potential litigation**

**2. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Town of Middletown for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.**

**3. Resolution of the Council, re: Tax Levy Resolution**

**4. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Parks and Recreation Fund for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.**

**5. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Sewer Fund for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.**

**6. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenue of the Recycling Fund for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.**

**Said meeting will be held on Monday, June 30, 2008 at 6:00 P.M. at the Middletown Town Hall, 350 East Main Road, Middletown, RI 02842.**

**Paul M. Rodrigues, President**

## **Middletown Town Council**

**cc:**

**Town Council**

**School Department**

**Town Administrator**

**Senior Center**

**Town Solicitor**

**Police Dept.**

**Finance Director**

**Fire Dept.**

**Public Library**

**Public Works**

**Tax Assessor**

**Building Inspector**

**Town Planner**

**IT Director**  
**Parks/Recreation**

**Town Engineer**  
**Human Resource Director**

**This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office at 847-0009 not less than 48 hours before the meeting.**

**On motion of Vice Chair Mello, duly seconded, it was voted unanimously to receive said communication.**

**1. Executive Session - Pursuant to provisions of Sections 42-46-2., 42-46-4. and 42-46-5. (a) (2), RIGL, potential litigation.**

**Council President Rodrigues announced the executive session has been cancelled.**

## **2. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Town of Middletown for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.**

**Also present were Town Administrator Shawn Brown, Finance Director Lynne Dible, Deputy Finance Director Marc Tanguay and Senior Accountant Deb Barrett.**

**Representing the School Department were Superintendent Rosemarie Kraeger, Business Manager Cathy McLeish, School Committee Vice Chair Liana Ferreira Fenton and School Committee member Ned**

**Draper.**

**Council President Rodrigues noted the two FY2009 budget scenarios issued to the Council. The first FY2009 budget scenario shows a 3.09% increase in the tax rate. The second FY2009 budget scenario shows a 3.36% increase in the tax rate. Mr. Rodrigues requested Council input on both scenarios.**

**Councillor Sylvia noted that he supports fully funding the School Department budget request.**

**Councillor DiPalma noted support of the 3.36% increase in the tax rate.**

**Vice Chair Mello noted she agrees with Councillor DiPalma and supports the 3.36% increase in the tax rate.**



**Councillor Silveira agrees with funding the School Department budget request however, he is comfortable with the 3.09% increase in the tax rate. Mr. Silveira suggests exploring the use of monies from the undesignated fund balance to off set the tax rate.**

**Council President Rodrigues noted his support for the 3.36% increase in the tax rate.**

**School Superintendent Rosemarie Kraeger addressed the Council noting she is pleased with the funding the school received but noted there will be reductions in the school budget.**

**On motion of Councillor DiPalma, duly seconded, it was voted to support the tax rate increase of 3.36% for the FY 2009 budget; Councillor Silveiria voted NO to said motion.**

**Council President Rodrigues thanked everyone involved with the**

**budget process for their efforts.**

**Council President Rodrigues reviewed the budget process and highlights of the General Fund budget entered here:**

**On motion of Vice Chair Mello, duly seconded, it was voted unanimously to approve the Town of Middletown Final FY 2009 General Fund Budget Adjustments dated June 30, 2008; said adjustments entered here:**

**On motion of Vice Chair Mello, duly seconded, it was voted unanimously to appropriate to the School Department tax revenues in the amount of \$21,970,071 – an increase of \$384,216 over FY2008. This appropriation includes a decrease of \$602,077 due to the transfer over of \$860,110 of School Debt Service to the Town. Of this amount, 400,050 is being appropriated specifically for the purpose of funding the School District's annual required contribution to the OPEB trust fund.**

**On motion of Vice Chair Mello, duly seconded, it was voted unanimously to approve the FY 2009 - FY 2013 Capital Improvement Plan as summarized in the Projects and Funding Sources by Department report dated June 26, 2008, and that, in accordance with Town Ordinance Chapter 35 Capital Improvements, the following restricted appropriations shall be made from the Capital Improvement Special Revenue Fund for the projects specified in the approved Capital Improvement Plan dated June 26, 2008:**

- 1. General Fund (various departments) – \$1,397,917**
- 2. School Department – \$460,000**
- 3. Library – \$73,320**
- 4. Refuse & Recycling Fund - \$144,000**

**Said approved CIP Budget, projects and funding sources entered here:**

**On motion of Vice Chair Mello, duly seconded, it was voted unanimously to adopt the Fiscal Year 2009 General Fund Budget, as amended, June 30, 2008; said budget entered here:**

**3. Resolution of the Council, re: Tax Levy Resolution**

**On motion of Vice Chair Mello, duly seconded, it was voted unanimously to pass said resolution.**

**4. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Parks and Recreation Fund for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.**

**Council President Rodrigues reviewed the proposed Parks &**

**Recreation budget highlights entered here:**

**On motion of Vice Chair Mello, duly seconded, it was voted unanimously to approve the Town of Middletown Final FY 2009 Parks & Recreation Fund Budget Adjustments dated, June 30, 2008; adjustments entered here:**

**On motion of Vice Chair Mello, duly seconded, it was voted unanimously to adopt the Fiscal Year 2009 Parks & Recreation Fund Budget, as amended, dated June 26, 2008; said budget entered here:**

## **5. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Sewer Fund for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.**

**Councillor Santos noted that she will not vote in favor of the Sewer**

**Fund Budget until well users and city water users are viewed the same.**

**Council President Rodrigues gave a brief overview of the proposed Sewer Fund budget entered here:**

**On motion of Vice Chair Mello, duly seconded, it was voted to:**

- 1. Establish a Sewer Rate of \$11.20 per 1,000 gallons for all connected sewer users.**
- 2. Establish and I & I charge of \$27.08 per connected parcel.**
- 3. Establish a Newport Meter Reading Charge of \$22.12 for all connected sewer users.**

**Councillor Santos voted NO to said motion; FY 08-09 sewer charges entered here:**

**On motion of Vice Chair Mello, duly seconded, it was voted to approve the Town of Middletown Final FY 2009 Sewer Fund Budget Adjustments dated, June 30, 2008; Councillor Santos voted NO to said motion; said adjustments entered here:**

**On motion of Vice Chair Mello, duly seconded, it was voted to adopt the Fiscal Year 2009 Sewer Fund Budget, as amended, dated June 26, 2008; Councillor Santos voted NO to said motion; said budget entered here:**

## **6. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenue of the Recycling Fund for the Fiscal Year July 1, 2008 to June 30, 2009, as amended”.**

**Councillor Sylvia expressed concern that a \$50. participation fee and**

**a reduction of the bag rate will not support the PAY-Throw program.**

**Councillor DiPalma noted that he agrees with Councillor Sylvia pertaining to the reduction of the bag rate. Mr. DiPalma noted the need for more participants in the PAY-Throw program.**

**Vice Chair Mello expressed concern that residents are bringing their trash elsewhere.**

**Councillor Silveira noted that participation is what is needed for the PAY-Throw program. Mr. Silveira does support the reduction in the bag fee.**

**Town Administrator Shawn Brown addressed the Council noting that the participation fee will help identify residents using the program. The reduction of the bag rate will aid the program user and may make the program more appealing to attract additional participants.**



**Council President Rodrigues notes the program needs to be attractive for residents to participate and not use private haulers. Mr. Rodrigues believes the PAY-Throw program needs to be monitored monthly.**

**On motion of Vice Chair Mello, duly seconded, it was voted to:**

- 1. Establish a PAYT bag rate of \$1.75 for the 15-gallon trash bag.**
- 2. Establish a PAYT bag rate \$2.00 for the 33-gallon trash bag.**
- 3. Establish an annual \$50. Participation Fee for all Middletown PAYT program participants.**

**Councillor Sylvia voted NO to said motion.**

**On motion of Vice Chair Mello, duly seconded, it was voted to approve the Town of Middletown Final FY 2009 Refuse and Recycling Fund Budget Adjustments dated, June 30, 2008; Councillor Sylvia voted NO to said motion; said adjustments entered here:**

**On motion of Vice Chair Mello, duly seconded, it was voted to adopt the Fiscal Year 2009 Refuse and Recycling Fund Budget, as amended, dated June 26, 2008; Councillor Sylvia voted NO to said motion; said budget entered here:**

**Town Administrator Shawn Brown addressed the Council noting that in July Fuss & O'Neill will have a report for the Council regarding the UV Storm Water Treatment System.**

**On motion of Vice Chair Mello, duly seconded, it was voted unanimously to acknowledge the following:**

- 1. Storm water from urban runoff is closing Easton's Bay.**

- 2. The Town of Middletown is collaborating with the City of Newport to identify a solution.**
- 3. UV treatment may be an effective solution.**
- 4. The funding estimated for construction is 1,500,000.**
- 5. The Town has budgeted \$150,000 for project engineering.**

**If the UV treatment system is a workable solution, it is the Town's intent to fund the construction of a UV storm water treatment system from the General Fund Balance, and that the amount to be funded shall be from possible grants and appropriations from the General Fund, as a Supplemental Budget Item when construction costs are determined.**

**On the motion Vice Chair Mello, duly seconded, it was voted unanimously to adjourn this meeting at 7:25 P.M.**

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**Wendy J.W. Marshall, CMC**

**Council Clerk**